

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARCUS HUNT,)
)
)
Plaintiff,) **Case No. 4:20-cv-01233**
)
v.)
)
STEVEN OGUNJOBI,)
)
and)
)
JACOB STEIN,)
)
Defendants.)

NOTICE OF REMOVAL TO PLAINTIFF

COME NOW Defendants Stephen Ogunjobi and Jacob Stein (collectively referred to herein as “Defendants”), and hereby notify Plaintiff Marcus Hunt of the removal of the case styled *Marcus Hunt v. Steven Ogunjobi, et al.*, Cause No. 2022-CC09356, from the 22nd Judicial Circuit Court of Missouri, to the U.S. District Court for the Eastern District of Missouri. As grounds for removal, Defendants state as follows:

1. On July 17, 2020, Plaintiff Marcus Hunt (“Plaintiff”) filed his 4-count lawsuit against Defendants in the 22nd Judicial Circuit Court of Missouri, styled as *Marcus Hunt v. Steven Ogunjobi, et al.*, Cause No. 2022-CC09356.
2. Count I of Plaintiff’s Petition alleges that Defendant Ogunjobi violated his First Amendment rights.
3. Count II of Plaintiff’s Petition alleges that Defendants violated Plaintiff’s Fourth Amendment rights.

4. Count III of Plaintiff's Petition asserts a claim for failure to intervene against Defendants, alleging that the Defendants were present before and during the alleged violation of Plaintiff's First and Fourth Amendment rights.

5. Count IV of Plaintiff's Petition asserts a claim against Defendant Ogunjobi for false arrest/false imprisonment.

6. This Court has original jurisdiction over Plaintiff's constitutional claims pursuant to 28 U.S.C. § 1331.

7. Venue is proper in this District pursuant to 28 U.S.C. § 1441(a) because this District and Division embrace the place in which the removed action has been pending.

8. Defendants were served on August 12, 2020. Defendants have removed this case within thirty days thereafter. Such removal is timely pursuant to 28 U.S.C. § 1446(b) and *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354-355 (1999).

WHEREFORE, Defendants petition this Court for removal of *Marcus Hunt v. Steven Ogunjobi, et al.*, Cause No. 2022-CC09356, from the Circuit Court of the City of St. Louis, State of Missouri, to this Court.

Respectfully submitted,

JULIAN BUSH
CITY COUNSELOR

/s/ Erin K. McGowan
Erin K. McGowan, #64020 MO
Associate City Counselor
City Hall, Room 314,
St. Louis, MO 63103
314.622.3361
FAX: 314.622.4956
McGowanE@stlouis-mo.gov
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on **September 11, 2020** the foregoing Notice was filed with the Court for service by means of Notice of Electronic Filing and sent via email and U.S. mail to:

Jase Carter
3407 S. Jefferson Ave., #109
St. Louis, MO 63118
jase@carterfirm.law
Attorney for Plaintiff

/s/ Erin K. McGowan